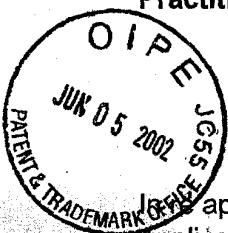


06-06-02

MPF

Practitioner's Docket No.: BTI-1

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/077,988 application of: Patrick R. Connelly et al.

Application No.: 10/077,988

Confirmation No: 5092

Group No.:

Filed: 2/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EV 092247776 US

Date of Deposit: 6/5/02

I hereby state that the following *attached* paper or fee:

Certificate of Express Mailing

Transmittal Form

Newly executed Declaration

Transmittal of Formal Drawings

58 sheets of Formal Drawings

Copy of "Notice to File Missing Parts of NonProvisional Application"

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Fee Transmittal

Check for \$65.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

PERSON MAILING THE APPLICATION:

Greenwald & Basch LLP
349 West Commercial Street
Suite 2490
East Rochester, New York 14445
(585) 387-0280

SIGNATURE OF MAILER:



Howard J. Greenwald, Esq. (Reg. No. 24,247)
 Duane C. Basch, Esq. (Reg. No. 34,545)
 Suzanne T. Stockman
 Dollie C. Masters
 Other: _____

Please type a plus sign (+) inside this box → Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/077,988
		Filing Date	2/19/2002
		First Named Inventor	Patrick R. Connelly
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	10+	Attorney Docket Number	BTI-1

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See 1 in Addendum	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	In response to NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 4/15/2002, applicant herewith encloses 1) the DECLARATION, newly dated and signed by each inventor, 2) a check for \$65.00 for the surcharge for late filing of the DECLARATION, and 3) fifty-eight sheets (58) of substitute drawings in compliance with 37 CFR 1.84. If any additional fees are required, please deduct from Deposit Account 50-1706.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Duane C. Basch # 34,545; Greenwald & Basch LLP	
Signature		
Date	6/5/02	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attachment to (PTO/SB/21) Transmittal Form (continued)



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FREE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

JUN 05 2002
PATENT & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

TOTAL AMOUNT OF PAYMENT

(\$65.00)

Complete if Known

Application Number	10/077,988
Filing Date	February 19, 2002
First Named Inventor	Patrick R. Connelly
Examiner Name	
Group Art Unit	
Attorney Docket No.	BTI-1

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit Account Number **50-1706**Deposit Account Name **Greenwald & Basch LLP** Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.272. Payment Enclosed: Check Credit card Money Order Other**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	65.00
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
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581	40	581	40 Recording each patent assignment per property (times number of properties)	
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179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

SUBTOTAL (1) **(\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** = 	X 	=
Independent Claims	-3** = 	X 	=
Multiple Dependent			=

Large Entity Small Entity

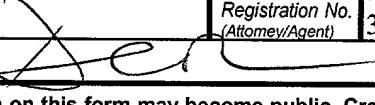
Fee Code (\$)	Large Entity (\$)	Small Entity (\$)	Fee Description
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102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(\$)**

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$65.00)**

Complete (if applicable)

Name (Print/Type)	Duane C. Basch	Registration No. (Attorney/Agent)	34,545	Telephone	585-387-0280
Signature				Date	6/15/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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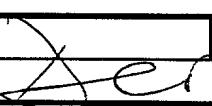
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		Group Art Unit	
		Attorney Docket No.	BTI-1
TOTAL AMOUNT OF PAYMENT		(\$65.00)	

METHOD OF PAYMENT		Fee Calculation (continued)																																																																																																																																																											
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 50-1706</p> <p>Deposit Account Name Greenwald & Basch LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. 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110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																									

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$65.00)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Duane C. Basch	Registration No. (Attorney/Agent)	34,545
Signature		Telephone	585-387-0280
		Date	6/5/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077,988	02/19/2002	Patrick R. Connelly	BTI-1

27157
 GREENWALD & BASCH, LLP
 SUITE 2490
 349 WEST COMMERCIAL STREET
 EAST ROCHESTER, NY 14445



CONFIRMATION NO. 5092

FORMALITIES LETTER



OC000000007869808

Date Mailed: 04/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

06/11/2002 NMDHAMM1 00000007 10077988

01 FC:205

65.00 DP



*A copy of this notice **MUST** be returned with the reply.*

Alice M. Mohr

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2025 RELEASE UNDER E.O. 14176



Practitioner's Docket No. BTI-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick R. Connelly et al.

Application No.: 10/077,988

Confirmation No: 5092

Group No.:

Filed: 2/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System "

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

In response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 4/15/2002, attached please find:

(a) the formal drawing(s) for this application.
Number of Sheets: 58

Each sheet of drawing indicates the identifying indicia suggested in Section 1.84(c) on the reverse side of the drawing.

(b) A copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

Date: 6/5/02

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CERTIFICATE OF EXPRESS MAILING (37 C.F.R. section 1.10 (c))

Express Mail Label: EV092247776US

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: 6/5/02

Duane C. Basch 34,545
(type or print name of person mailing paper)

Signature of person mailing paper